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8 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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12 **JOE M. ARMENDARIZ,** ) **CV F 05-0256 OWW WMW HC**  
13 **Petitioner,** )  
14 **v.** ) **ORDER ADOPTING**  
15 **DARRAL G. ADAMS,** ) **FINDINGS AND**  
16 **Respondent.** ) **RECOMMENDATIONS RE**  
17 ) **PETITION FOR WRIT OF**  
18 ) **HABEAS CORPUS**  
19 ) **(Doc. 5)**  
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20 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas  
21 corpus pursuant to 28 U.S.C. § 2254.

22 On June 8, 2005, the Magistrate Judge issued Findings and Recommendation that the  
23 petition for writ of habeas corpus be DISMISSED . These Findings and Recommendation  
24 were served on all parties and contained notice that any objections were to be filed within  
25 thirty days of the date of service of the order. No objections have been filed.

26 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has  
27 conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court  
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1 finds that the Findings and Recommendation is supported by the record and proper analysis.

2 The case is also dismissed upon the ground that plaintiff has failed to obey the court's order.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The Findings and Recommendation issued June 8, 2005, are ADOPTED IN  
5 FULL;
- 6 2. The petition for writ of habeas corpus is DISMISSED for failure to prosecute;
- 7 3. The Clerk of the Court is directed to enter judgment for Respondent and to  
8 close this case.

9 IT IS SO ORDERED.

10 **Dated: September 22, 2005**  
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**/s/ Oliver W. Wanger**  
UNITED STATES DISTRICT JUDGE